

The Honorable Robert J. Bryan

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

ANNA OMELIN, individually and as an  
administrator of the Estate of Anton Omelin,  
deceased,

Plaintiff,

vs.

HANSEN BEVERAGE COMPANY d/b/a  
MONSTER BEVERAGE CORPORATION,  
a Delaware corporation, MONSTER  
ENERGY COMPANY, a Delaware  
corporation, RED BULL NORTH  
AMERICA, INC., a California corporation,  
and DOES 1-100, inclusive,

Defendants.

Civil Action No. 3:17-cv-05837

DECLARATION OF AARON PERAHIA IN  
SUPPORT OF DEFENDANT RED BULL  
NORTH AMERICA, INC.'S MOTION FOR  
SUMMARY JUDGMENT

NOTE ON MOTION CALENDAR:  
FRIDAY, OCTOBER 12, 2018

**DECLARATION OF AARON PERAHIA**

I, Aaron Perahia, declare as follows:

1. I am an attorney at the law firm of Quinn Emanuel Urquhart & Sullivan, LLP, and I am counsel for defendant Red Bull North America, Inc. ("Red Bull"). I am a member in good standing of the State Bar of California and admitted *pro hac vice* to this Court. I respectfully submit this declaration in support of Red Bull's Motion for Summary Judgment. I have personal firsthand knowledge of the matters set forth in this declaration, and if called as a witness I would testify competently to those matters.

2. Attached hereto as **Exhibit A** is a true and correct copy of plaintiff Anna Omelin's ("Plaintiff's") Second Amended Complaint filed in this action on January 16, 2018 (Dkt. # 44).

3. Attached hereto as **Exhibit B** are true and correct copies of excerpts from the deposition of Plaintiff ("Omelin Tr.") taken in this action on August 6, 2018.

4. Attached hereto as **Exhibit C** is a true and correct copy of Plaintiff's Objections and Responses to Defendant Monster Energy Company's Requests for Admission (Nos. 1-17) served in this action on June 28, 2018.

5. Attached hereto as **Exhibit D** are true and correct copies of excerpts from the deposition Thomas B. Clark, M.D. ("Clark Tr.") taken in this action on August 8, 2018.

6. Attached hereto as **Exhibit E** is a true and correct copy of a compilation of documents from the Medical Examiner's Office for Pierce County, Washington, authenticated at Clark Tr. at 12:24-15:8.

7. Attached hereto as **Exhibit F** are true and correct copies of excerpts from the deposition Angelito Quinto ("Quinto Tr.") taken in this action on August 9, 2018.

8. Attached hereto as **Exhibit G** is a true and correct copy of a Fife Police Department case file, authenticated at Quinto Tr. at 10:7-11:14.

9. Attached hereto as **Exhibit H** is a true and correct copy of images of the incident, authenticated at Omelin Tr. at 155:9-18, 156:12-157:3.

13. Attached hereto as **Exhibit L** is a true and correct copy of Plaintiff's Opposition to Red Bull's Motion to Dismiss Plaintiff's First Amended Complaint, filed in this action on January 8, 2018 (Dkt. # 40).

/s/ Aaron Perahia  
Aaron Perahia

/s/ S. Karen Bamberger

---

S. Karen Bamberger, WSBA No. 18478  
kbamberger@bpmlaw.com  
BETTS, PATTERSON & MINES  
Phone (206) 292-9988  
Fax (206) 343-7053  
701 Pike Street, Suite 1400  
Seattle, Washington 98101-3927

Michael E. Williams (*pro hac vice*)  
michaelwilliams@quinnemanuel.com  
Valerie A. Lozano (*pro hac vice*)  
Valerielozano@quinnemanuel.com  
Aaron Perahia (*pro hac vice*)  
aaronperahia@quinnemanuel.com  
QUINN EMANUEL URQUHART &  
SULLIVAN, LLP  
Phone (213) 443-3000  
Fax (213) 443-3100  
865 South Figueroa Street, 10th Floor  
Los Angeles, California 90017-5003

*Attorneys for Defendant Red Bull North  
America, Inc.*

**CERTIFICATE OF SERVICE**

I hereby certify that on September 20, 2018, I caused a true and correct copy of the foregoing Declaration of Aaron Perahia to be filed in this Court's CM/ECF system, which will send notification of such filing to all parties who have appeared in this matter.

DATED this 20th day of September, 2018.

/s/ S. Karen Bamberger  
S. Karen Bamberger, WSBA No. 18478